

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
FAYETTEVILLE DIVISION**

In re:)
)
TOPPOS, LLC,) Case No. 23-02889-5-PWM
)
)
Debtor.) Chapter 7
)

NOTICE OF APPEARANCE AND REQUEST FOR SERVICE OF PAPERS

PLEASE TAKE NOTICE that, pursuant to Rules 2002 and 9010(b) of the Federal Rules of Bankruptcy Procedure, the undersigned counsel for Wilmington Trust, National Association, as Trustee for the Holders of the BBCMS Mortgage Trust 2020-C7 Commercial Mortgage Pass Through Certificates Series 2020-C7 (“Secured Lender”) hereby enters their appearance and requests that notice of all papers, including, but not limited to, notices, orders, reports, pleadings, motions, applications or petitions, requests, disclosure statements, answer and reply papers, and notice of all hearings or other proceeding relating to any issue which may be raised in the above-captioned case be sent to:

John R. Gardner
K&L Gates LLP
301 Hillsborough Street, Suite 1200
Raleigh, NC 27603
Telephone: (919) 743-7300
Email: John.Gardner@klgates.com

PLEASE TAKE FURTHER NOTICE that this request includes not only the notices and papers referred to in the Bankruptcy Rules and the Bankruptcy Code provisions specified above, but also includes all orders and notices of any application, motion, petition, pleading, request, complaint, or demand, whether formal or informal, whether written or oral, that affect or seek to affect in any way the rights or interests of Secured Lender, or any other party-in-interest in this

proceeding; or require or prohibit, or seek to require or prohibit, any act, delivery of any property, payment or other conduct by Secured Lender or any other party-in-interest.

PLEASE TAKE FURTHER NOTICE that the foregoing simply constitutes a demand and request for service and does not constitute consent to the jurisdiction of the Bankruptcy Court.

PLEASE TAKE FURTHER NOTICE that neither this Notice of Appearance and Request for Service of Papers nor any prior or later appearance, pleading, claim, or suit shall constitute a waiver of any of Secured Lender's rights in this case or any other proceeding relating to this case, including, without limitation, the following rights:

1. Secured Lender's right to receive service of complaints, summons or other pleadings or documents required to be served in accordance with Rule 7004 of the Federal Rules of Bankruptcy Procedure. The undersigned counsel is expressly not authorized to accept service of a summons and complaint or any other pleading in any adversary proceeding or other litigation without express written permission from Secured Lender;
2. Secured Lender's right to have any and all final orders in any and all non-core matters entered only after de novo review by a United States District Court judge;
3. Secured Lender's right to trial by jury in any proceeding as to any and all matters so triable, whether or not such proceedings be designated legal or equitable, core or non-core proceedings;
4. Secured Lender's right to seek withdrawal of the reference of this proceeding or any related contested matter or adversary proceeding by the United States District Court in any contested matter or proceeding subject to mandatory or discretionary withdrawal, including proceedings over which the Court lacks the constitutional authority to enter final judgments

pursuant to the decision of the United States Supreme Court in *Stern v. Marshall*, 131 S. Ct. 2594 (2011); and

5. Secured Lender's other rights, claims, actions, defenses, setoffs, recoupments or other matters to which it is entitled under any agreements, at law, in equity, or otherwise, all of which are expressly reserved.

Dated: July 26, 2024

K&L GATES LLP

/s/ John R. Gardner

John R. Gardner
North Carolina State Bar No. 32683
K&L Gates LLP
301 Hillsborough Street, Suite 1200
Raleigh, North Carolina 27603
Telephone: (919) 743-7300
Email: John.Gardner@klgates.com

*Counsel for Wilmington Trust, National Association,
as Trustee for the Holders of the BBCMS Mortgage
Trust 2020-C7 Commercial Mortgage Pass Through
Certificates Series 2020-C7*

CERTIFICATE OF SERVICE

I hereby certify that on July 26, 2024 I caused a copy of the foregoing *Notice of Appearance* and *Request for Service of Papers* to be served on those persons receiving notice through CM/ECF.

/s/ John R. Gardner
John R. Gardner